

REMARKS

Claims 1-26 are pending and under consideration.

REQUEST FOR RECOGNITION OF PARENT APPLICATION:

On page 1, box 12, of the Office Action, the Examiner does not acknowledge receipt of the priority document in the parent application, 09/263,816, or the claim for priority under 35 U.S.C. §119 made in the instant application. However, as set for in the Continuing Utility Patent Application Transmittal form at box 14 on filing the instant application, a foreign priority claim was made and the certified copy was filed in the parent application. As such, it is respectfully requested that the status of the application be reflected in future actions to prevent confusion.

OBVIOUSNESS TYPE DOUBLE PATENTING REJECTION:

On pages 2-4 of the Office Action, the Examiner rejects claims 1-4, 12, 15, 21, 25 and 26 on the ground of non-statutory obviousness-type double patenting in view of selected claims of U.S. Patent No. 6,678,467 or U.S. Patent No. 6,707,985. In view of the enclosed terminal disclaimer, it is respectfully requested that the Examiner reconsider and withdraw the rejection.

ALLOWABLE SUBJECT MATTER:

On page 4 of the Office Action, the Examiner objects to claims 5-11, 13, 14, 16-20, and 22-24 as being dependent upon a rejected base claim.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: AUGUST 9, 2006
1400 Eye St., NW, Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510

By: 
James G. McEwen
Registration No. 41,983